

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**CHERYL HUTCHINSON,**

**Plaintiff,**

**v.**

**LVNV FUNDING, LLC,**

**Defendant.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**CASE NO. 2:20-cv-1675**

**NOTICE OF REMOVAL**

**PLEASE TAKE NOTICE** that on this date, Defendant LVNV Funding, LLC hereby removes the above-captioned matter to this Court from the Court of Common Pleas of Allegheny County, Pennsylvania and in support thereof avers as follows:

1. LVNV Funding, LLC is a defendant in a civil action originally filed on July 13, 2020 in the Court of Common Pleas of Allegheny County, Pennsylvania titled *Cheryl Hutchinson v. LVNV Funding, LLC* and docketed to Case No. GD-20-007557.

2. The removal is timely under 28 U.S.C. § 1446(b). Plaintiff's Complaint was filed on October 5, 2020. LVNV filed preliminary objections on November 2, 2020 and thus waived service of the complaint.

3. Pursuant to 28 U.S.C. § 1446, copies of all process, pleadings and orders filed in the state court action are attached as exhibits to this Notice.

4. The District Court<sup>1</sup> has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, in that Plaintiff has filed claims against LVNV alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*

5. On this date, LVNV has provided notice of this Removal to counsel for Plaintiff and to the Court of Common Pleas of Allegheny County, Pennsylvania.

WHEREFORE, Defendant LVNV Funding, LLC respectfully removes this case to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

**MESSER STRICKLER, LTD.**

By: /s/ Lauren M. Burnette  
LAUREN M. BURNETTE, ESQUIRE  
PA Bar No. 92412  
12276 San Jose Blvd.  
Suite 718  
Jacksonville, FL 32223  
(904) 527-1172  
(904) 683-7353 (fax)  
[lburnette@messerstrickler.com](mailto:lburnette@messerstrickler.com)  
*Counsel for Defendant*

Dated: November 3, 2020

---

<sup>1</sup> Plaintiff commenced this claim in Allegheny County, Pennsylvania notwithstanding the fact that her alleged causes of action arose in Lancaster County, Pennsylvania which lies within jurisdiction of the U.S. District Court for the Eastern District of Pennsylvania. *See* Plaintiff's Complaint, ¶ 1. LVNV has filed Preliminary Objections as to venue.

**CERTIFICATE OF SERVICE**

I certify that on November 3, 2020, a true copy of the foregoing document was served  
as follows:

*Via Email & U.S. Mail, Postage Prepaid*

Joshua P. Ward  
Kyle Steenland  
The Law Firm of Fenters Ward  
The Rubicon Building  
201 South Highland Avenue  
Suite 201  
Pittsburgh, PA 15206  
[JWard@FentersWard.com](mailto:JWard@FentersWard.com)  
[KSteenland@FentersWard.com](mailto:KSteenland@FentersWard.com)  
*Counsel for Plaintiff*

*Via Electronic Filing*

Court of Common Pleas  
Allegheny County  
414 Grant St.  
Pittsburgh, PA 15219

**MESSER STRICKLER, LTD.**

By: */s/ Lauren M. Burnette*  
LAUREN M. BURNETTE, ESQUIRE  
PA Bar No. 92412  
12276 San Jose Blvd.  
Suite 718  
Jacksonville, FL 32223  
(904) 527-1172  
(904) 683-7353 (fax)  
[lburnette@messerstrickler.com](mailto:lburnette@messerstrickler.com)  
*Counsel for Defendant*

Dated: November 3, 2020